## **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

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My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

| the specification of which: (check one)   |   |  |                                  |                |
|---|---|--|----------------------------------|----------------|
| _X_ (is attached her was filed on as Applica and was ar   | reto)<br>tion Serial No<br>nended on  | , (if applicable)  |                                  |                |
| I hereby state that I is claims, as amended by any am   |   | e contents of the above identified specif  | fication, inclu                  | ding the       |
|   | uty to disclose information which<br>e of Federal Regulations, § 1.56                                   | h is material to the examination of this a   | application in                   |                |
| for patent or inventor's certific   | cate listed below and have also is  | 5, United States Code, § 119 of any for dentified below any foreign application dication on which priority is claimed:   | reign applicati<br>for patent or | ion(s)         |
| Prior Foreign Application(s) 2000-216484  | <u>Japan</u>  | 17/07/2000   | priorit<br>claime<br>X           |                |
| (Number)  | (Country)   | (Day/Month/Year Filed)   | yes                              | no             |
| (Number)  | (Country)   | (Day/Month/Year Filed)   | yes                              | no             |
| (Number)  | (Country)   | (Day/Month/Year Filed)   | yes                              | no             |
| below and, insofar as the subject application in the manner proved to disclose material information | ect matter of each of the claims of ided by the first paragraph of Tine as defined in Title 37, Code of | tes Code, § 120 of any United States apport this application is not disclosed in the tle 35, United States Code, § 112, I ack a Federal Regulations, § 1.56 which occurrational filing date of this application: | prior United<br>knowledge the    | States<br>duty |
| (Application Serial No.)  | (Filing Date)   | (Status: patented, pend  | ing, abandone                    | ed)            |
|   |   |  |                                  |                |

W. Gibb, III, Reg. No. 37,629, as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. All correspondence should be directed to McGinn & Gibb, PLLC, 8321 Old Courthouse Rd., Suite 200, Vienna, Virginia 22182-3817. Telephone calls should be directed to McGinn & Gibb, PLLC at (703) 761-4100.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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|   | is/are attached hereto if the present invention includes more than four inventors.)          |

\*Title 37, Code of Federal Regulations, § 1.56:

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.